

KEVIN V. RYAN (CASBN 118321)
United States Attorney

EUMI L. CHOI (WVSBN 0722)
Chief, Criminal Division

ROBERT DAVID REES (CASBN 229441)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 05 0254 CRB
)	
Plaintiff,)	[PROPOSED] ORDER AND
)	STIPULATION CONTINUING MOTIONS
v.)	HEARING TO JULY 27, 2005, AND
)	EXCLUDING TIME FROM APRIL 25,
DERA MARIE JONES,)	2005 TO JULY 6, 2005 FROM THE
a/k/a Derek Jones,)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
Defendant.)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this order rescheduling a motions hearing in this matter before the Honorable Charles R. Breyer from June 29, 2005 to July 27, 2005 at 2:15PM, rescheduling the associated briefing schedule, and documenting an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from April 25, 2005 to July 6, 2005. The parties agree, and the Court finds and holds, as follows:

1. In light of scheduling conflicts and the need to review the discovery in this matter, the parties stipulate, and the court orders, that the motions hearing previously set for June 29, 2005 be moved to July 27, 2005 at 2:15PM, and that the motions schedule be revised to proceed as follows: The defendant's motions due by July 6, 2005, the United States' responses

1 due by July 20, 2005, and the defendant's replies (if any) due by July 27, 2005.

2 2. The defendant agrees to an exclusion of time under the Speedy Trial Act from
3 April 25, 2005 until July 6, 2005, the anticipated filing date of pretrial motions in this matter.
4 Failure to grant the request continuance and briefing schedule would unreasonably deny defense
5 counsel reasonable time necessary for effective preparation, taking into account the exercise of
6 due diligence, and would deny the defendant continuity of counsel.

7 3. Given these circumstances, the Court finds that the ends of justice served by
8 excluding the period from April 25, 2005 to July 6, 2005, outweigh the best interest of the public
9 and the defendant in a speedy trial. § 3161(h)(8)(A).

10 4. Accordingly, and with the consent of the defendant, the Court orders that the
11 period from April 25, 2005 to July 6, 2005 be excluded from Speedy Trial Act calculations under
12 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

13
14 IT IS SO STIPULATED.

15
16 DATED: 6/1/05

17 /S/Robert David Rees
18 ROBERT DAVID REES
Assistant United States Attorney

19 DATED: 6/1/05

20 /S/for
21 ELIZABETH FALK
Assistant Federal Public Defender
Attorney for Defendant

22
23 IT IS SO ORDERED.

24 DATED: June 01, 2005

